

8687. Misbranding of Texas Wonder. U. S. * * * v. 10 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12532. I. S. No. 8589-r. S. No. C-1869.)

On or about April 1, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Rock Island, Ill., alleging that the article had been shipped on or about February 19, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Texas Wonder * * * A Remedy for Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article made by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative or therapeutic effects of the article, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 18, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8688. Adulteration and misbranding of sauerkraut. U. S. * * * v. 200 Barrels of Sauerkraut. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 12554. I. S. Nos. 7358-r, 7359-r. S. No. C-1837.)

On March 24, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 barrels of sauerkraut, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging shipment of the article on or about January 9 and January 14, 1920, by Morris Kein in [Kenin], Newark, N. Y., and transportation from the State of New York into the State of Ohio, and charging adulteration and misbranding under the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a decomposed vegetable substance.

Misbranding of the article was alleged in the libel for the reason that the product was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 31, 1920, Morris Kein in [Kenin], claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*